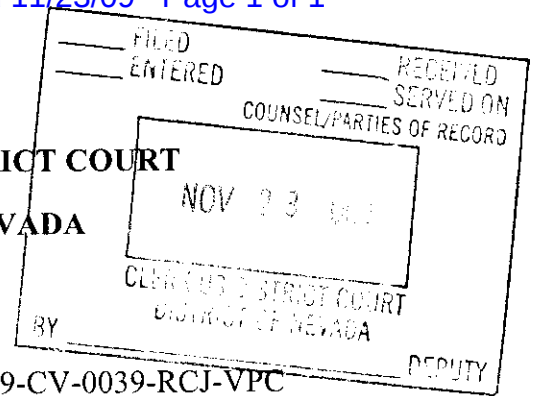


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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA



ROBERT L. STOCKMEIER,

Plaintiff,

vs.

MARY BAKER, et al.,

Defendants.

3:09-CV-0039-RCJ-VPC

**REPORT AND RECOMMENDATION  
OF U.S. MAGISTRATE JUDGE**

November 23, 2009

This Report and Recommendation is made to the Honorable Robert C. Jones, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4. Before the court is plaintiff's motion for voluntary dismissal of action (#55). Defendants filed a notice of non-opposition to the motion (#56). Therefore, the court recommends that the District Court enter an order dismissing this case without prejudice pursuant to Fed.R.Civ.P. 41(a)(2).

The parties are advised:

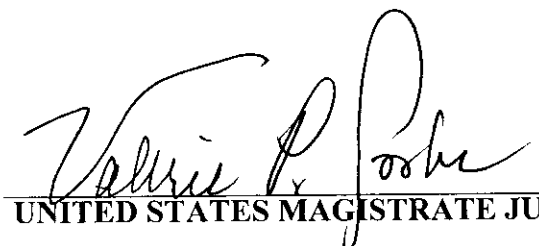
1. Pursuant to 28 U.S.C. § 636(b)(1)(c) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this report and recommendation within ten days of receipt. These objections should be entitled "Objections to Magistrate Judge's Report and Recommendation" and should be accompanied by points and authorities for consideration by the District Court.

2. This report and recommendation is not an appealable order and any notice of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District Court's judgment.

**RECOMMENDATION**

**IT IS THEREFORE RECOMMENDED** that this action be **DISMISSED without prejudice** pursuant to Fed.R.Civ.P. 41(a)(2).

**DATED:** November 23, 2009.

  
UNITED STATES MAGISTRATE JUDGE